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**JUN 21 2011**

U.S. Pat. App. Ser. No. 10/581,989

Attorney Docket No. 1717552

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: )  
Thomas GROSS ) Examiner: Willie Wendell BERRY Jr.  
International Appln. No. PCT/AT2004/000419 ) Group Art Unit: 3652  
Serial No.: 10/581,989 ) Confirmation No.: 1863  
Filing Date: February 26, 2007 )  
For: METHOD FOR REMOVAL OF )  
MATERIAL MINED UNDERGROUND )  
AND DEVICE FOR CARRYING OUT )  
SAID METHOD )

**FILED VIA FACSIMILE TO 571-273-8300**

Mail Stop AF

Commissioner for Patents

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Alexandria, VA 22313-1450

**RESPONSE TO FINAL OFFICE ACTION**

With an extension of time under 37 CFR §1.136(a) hereby requested, the following is filed in timely response to the final Office Action mailed on March 8, 2011, wherein the Examiner:

1. Rejected Claims 1-3, 5-10, 12, 14, 16, 17, 19, and 20 under Section 103(a) as being unpatentable over Lee, U.S. Patent No. 2,507,341.
2. Determined that Claims 4, 11, 13, 15, and 18 would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

The following amendments and remarks are submitted in response.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 7 of this paper.

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